

REMARKS

In response to Office Action dated 11/22/2004, Applicants amend claims 1, 9 and 19 to define invention patentably over cited references. Claims 1-20 remain.

Under 35.U.S.C.103a, Examiner rejects claims 1-8, and 19-20 over Levergood et al (US.Pat 5708780) in view of Hoffberg et al (US.Pat 5774357); and claims 9-18 over Hoffberg et al in view of Levergood et al.

Firstly to clarify the invention, Applicants respectfully note with regard to the present scope of each independent claim 1, 9 and 19 (and thus all claims dependent thereupon,) that as amended previously on filing dated 7/23/2004, all such claims properly define among other things the narrower limitation comprising “search query and auction bid” (i.e., not “search query or auction”, as Examiner presents in the Office Action.)

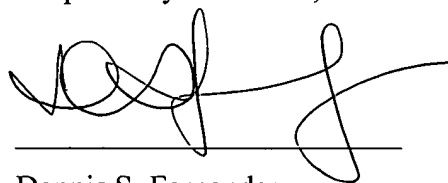
Hence regarding this clarification, Applicants argue patentable distinction over both cited references, because neither Levergood nor Hoffberg, either singly or in combination, discloses nor suggests, as required by claims 1, 9 and 19, that the client request comprises an online search query and auction bid ... in order to bill or charge the client appropriately for the search query and auction bid. Despite Levergood describing browser use and user charges, there is no teaching or suggestion that such browser use and user charges apply in any way to auction bidding; accordingly because of such novel limitation, Applicants submit that claims are patentably distinct over cited references.

Moreover, Applicants amend all independent claims 1, 9 and 19 to delete certain “multimedia playback capacity” language, thereby overcoming Examiner’s obviousness argument that Hoffberg discloses that particular claim limitation. Accordingly Applicants submit that via such amendment, all claims are rendered further patentably distinct over cited references.

Furthermore, Applicants amend all independent claims 1, 9 and 19 to specify additionally the limitation that the appliance comprises “interactive digital television” (support appears in specification pages 15 and 17,) which is neither disclosed nor suggested by Levergood or Hoffberg. Accordingly Applicants further submit that via such amendment, all claims are rendered patentably distinct over cited references.

Applicants respectfully request that Examiner allow such claims, as now amended.

Respectfully submitted,



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